

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13407 of 2017

Arising Out of PS.Case No. -264 Year- 2016 Thana -BELHAR District- BANKA

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Bikarm Kumar Saw @ Vikram Kumar Sah, Son of Arjun Sah, Resident of
Village- Sabji Mandi, Laxmiya More, P.S.- Jhariya, District- Dhanbad
(Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-03-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
30.07.2016 in connection with Belhar P.S. Case No. 264 of 2016
registered for the offence punishable under Sections 379/411 of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that petitioner was apprehended with six mobile phones, photo,
SIM etc.

Earlier the petitioner moved for bail, which was
rejected by order dated 21.11.2016 passed in Cr. Misc. No. 46344
of 2016 with observation that he may renew his prayer for bail
after three months.



Learned counsel for the petitioner submits that he has no criminal history and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and that charge-sheet has already been submitted and considering the period of custody, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of Shri A.K. Gupta, learned Sub-Judge-IIIrd-cum- Additional Chief Judicial Magistrate-IIIrd, Banka in connection with Belhar P.S. Case No. 264 of 2016.

However, it is made clear that if, in future, petitioner indulges in similar nature of offence, learned court below will be at liberty to cancel his bail bonds without being prejudiced with this order.

(Nilu Agrawal, J.)

Arjun/-

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